

REMARKS

Preliminary Matters:

Dealing with preliminary matters first, Applicants thank the Examiner for acknowledging Applicants' claim to priority and receipt of the priority document. Further, Applicants note that the Examiner has accepted the drawings as filed on December 16, 2005. Finally, Applicants thank the Examiner for considering most of the references cited in the Information Disclosure Statements filed on December 16, 2005 and February 11, 2008, respectively.

It is noted that the Examiner failed to consider the last reference cited in the Information Disclosure Statement, filed on December 16, 2005, as it was not initialized by the Examiner. Applicants respectfully request the Examiner to consider this reference and initialize the PTO SB/08 A & B form.

Tuning to the substance of the Office Action, claims 1-11 are all the claims pending in the application.

Claim Rejections Under 35 U.S.C. § 103:

Claims 1, 2, 4, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent Application 04-39424 (Applicants' Prior Art) (hereinafter referred to JP'424). Claims 3, 5, 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP'424 in view of Japanese Patent Application No.: 2002-339989 (hereinafter referred to as JP'989). Finally, claims 10 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over JP'424 in view of Sumita, et al. (U.S. Patent No. 4,916,751). For the following reasons, Applicants respectfully traverse the Examiner's rejections.

ARGUMENTS:

As can be seen from above, the Examiner has cited JP '424 in each of his rejections. However, the disclosure of JP '424 is totally unrelated to the claimed invention. It is presumed that the Examiner intended to refer to JP 04-39414 (hereinafter JP '414).

Even if JP '424 is corrected to JP '414 in the Office Action, the Examiner's grounds for rejections are improper at least for the reasons given below.

With respect to independent claims 1 and 2, the Examiner asserts that JP '414 discloses the roughness of the outer ring raceway surface being $0.083\text{ }\mu\text{m}$ and the roughness of the inner ring raceway surface being $0.107\text{ }\mu\text{m}$. However, JP '414 (and of course JP '424) does not disclose such features¹.

Further, the Examiner has failed to provide sufficient reasons for asserting that the equation of the roughness parameter S would have been obvious to a person having ordinary skill in the art. As recited in claim 1, the parameter S is defined by parameters other than the roughness Ra of the outer/inner ring raceway surface, namely, n and Si.

Further, the Examiner is silent about the average roughness of the rolling contact surface of the rolling element which is recited in independent claim 2.

With respect to independent claim 3, the Examiner has failed to establish a *prima facie* case of obviousness of the features related to Rao/Rai.

In short, the Examiner's rejections are simply improper on their face.

¹ In the counterpart Chinese Office Action, JP 2000-179559 is cited as the reference D2 in which the roughness of the inner ring raceway surface being $0.83\text{ }\mu\text{m}$ and the roughness of the outer ring raceway surface being $0.107\text{ }\mu\text{m}$ are disclosed.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Brian W. Hannon/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON DC SUGHRUE/265550

65565
CUSTOMER NUMBER

Brian W. Hannon
Registration No. 32,778

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